

AIR POLLUTION CONTROL DIVISION

OHIO EPA AGENCY 15 • APC CONTRACTUAL REPRESENTATIVE SERVING ALL OF STARK COUNTY



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CERTIFIED MAIL

May 5, 2017

Mr. Todd Brady
American Landfill, Inc.
7916 Chapel Street S.E.
Waynesburg, OH 44688

RE: AMERICAN LANDFILL, INC.; STARK COUNTY, OH
NOTICE OF VIOLATION (NOV)
AIR PERMIT
STARK COUNTY
FACILITY ID: 1576181541

SUBJECT: NOTICE OF VIOLATION

Dear Mr. Todd Brady,

The Canton City Health Department, Air Pollution Control Division (Canton APC) represents the Ohio EPA in air quality matters within Stark County. As such, Canton APC employees have the authority to investigate and enforce Ohio EPA air pollution regulations.

Thank you for your submittal of the Higher Operating Value (HOV) requests submitted for landfill gas extraction wells AMEN80RR, AMEN122A, AMEN126, and AMEN140 (September 14, 2016) for American Landfill, Inc. located in Stark County, Ohio. The purpose of the requests were to obtain a higher operating temperature for the identified landfill gas extraction wells per 40 CFR 60.753(c).

The HOV request also identified the following "wells of interest" (WOI), which American Landfill reported to be operating above the temperature threshold in 40 CFR 60.753(c): AME103AR, AMEN126A, AMENW134, AMER102M, AMER105R, AMER116R, AMER113, AMER115, AMERN122, and AMERN144. In an email dated December 9, 2016, American Landfill indicated that they would forgo the HOV request process for these ten wells.

Additionally, on April 26, 2017, American Landfill requested via letter that the following wells be WOI listed and would forgo the HOV request process: AMERN101, AMERN142, AMENW135, and AMER106R.

FINDINGS

Canton APC observed the following violations of Ohio's air pollution control regulations. In order to bring your facility into compliance, we recommend promptly addressing these violations within the deadlines specified below.

1. Ohio Revised Code (ORC) chapter 3704.05(C): "No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."
2. Title V Permit P0117333, Term B.3.e), states "The permittee is required to comply with the requirements of 40 CFR part 60, subpart WWW." This includes 40 CFR 60.753(c) which is restated in Title V Permit P0117333, Term C.2.c)(5):

"The permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55° C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens."

CONTINUED →

- (a) Upon receiving and reviewing the HOV requests for wells AMEN80RR, AMEN122A, AMEN126, and AMEN140, the Ohio EPA's HOV Committee notified American Landfill in a letter dated April 13, 2017, that the HOV requests were denied. The HOV Committee believed significant inhibition of anaerobic decomposition was/is occurring by the possible killing of methanogens; thereby making the requirement of 40 CFR 60.753(c) not being satisfied.
- (b) Additionally, the following WOI are operating outside the parameters of temperature and nitrogen or oxygen levels, as reported by American Landfill's September 14, 2016 HOV request and April 26, 2017 letters, required by 40 CFR 60.753(c): AME103AR, AMEN126A, AMENW134, AMER102M, AMER105R, AMER116R, AMER113, AMER115, AMERN122, AMERN144, AMERN101, AMERN142, AMENW135, and AMER106R.

(c) *Requested action:*

Canton APC requests that American Landfill promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within 30 days of receipt of this letter, American Landfill shall provide a compliance plan and schedule detailing how the facility intends to return to compliance and the timeline for doing so for all wells listed in (a) and (b). If you have already resolved the violations listed above, thank you, and please provide documentation supporting compliance. Documentation of steps taken to return to compliance includes written correspondence, updated polices, and photographs, as appropriate.

CONCLUSION


Canton APC requests that American Landfill, **INC.** promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. As noted above, within **30 days of receipt of this letter**, please provide documentation to Canton APC as cited above. Documentation of steps taken to return to compliance includes written correspondence, updated polices, and photographs, as appropriate, and may be submitted via the postal service or electronically by email to the email address below.

Failure to comply with ORC 3704 and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, American Landfill, **INC.** is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of Ohio EPA's authority to seek administrative or civil penalties as provided in ORC Section 3704.06.

Thank you for your time and cooperation. If you have any questions, please do not hesitate to contact me by phone at (330) 489-3385 or by e-mail at: dhampton@cantonhealth.org.

Sincerely,


David Hampton
Air Pollution Control Engineer
Canton City Health Department

cc: James Kavalec/John Paulian, OEPA DAPC/CO
Terri Dzienis, APC Admin, Canton APC
Brian Dickens, U.S. EPA Region V
James Adams, Health Commissioner, CCHD

Date: May 8, 2017

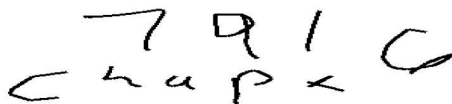
Canton DAPC:

The following is in response to your May 8, 2017 request for delivery information on your Certified Mail™ item number 9171969009350066263378. The delivery record shows that this item was delivered on May 8, 2017 at 2:51 pm in WAYNESBURG, OH 44688. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,
United States Postal Service